

VZCZCXRO7818  
OO RUEHCHI RUEHDT RUEHHM RUEHNH RUEHTRO  
DE RUEHGO #0524/01 2241531  
ZNY CCCCC ZZH  
O 121531Z AUG 09  
FM AMEMBASSY RANGOON  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9336  
INFO RHEHNSC/NSC WASHDC IMMEDIATE  
RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RUEHBY/AMEMBASSY CANBERRA 2217  
RUEHNE/AMEMBASSY NEW DELHI 5681  
RUEHUL/AMEMBASSY SEOUL 9285  
RUEHKO/AMEMBASSY TOKYO 6864  
RUEHCHI/AMCONSUL CHIANG MAI 2280  
RHHMUNA/CDR USPACOM HONOLULU HI  
RUCNDT/USMISSION USUN NEW YORK 2656  
RUEKJCS/SECDEF WASHDC  
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000524

SIPDIS

DEPT FOR EAP/MLS, DRL, AND IO  
PACOM FOR FPA

E.O. 12958: DECL: 01/16/2018

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BM](#)

SUBJECT: ASSK VERDICT AFTERMATH: STREETS CALM; LAWYERS TO  
APPEAL

REF: RANGOON 518

RANGOON 00000524 001.4 OF 002

Classified By: Political Officer Marc Shaw for Reasons 1.4 (b) & (d)

Summary

-----  
11. (C) According to various NLD sources, Aung Sang Suu Kyi (ASSK) and her two assistants will appeal their August 11 conviction. ASSK's legal team also were scheduled to meet August 12 with ASSK and police Special Branch to discuss the mechanism for ASSK to receive visitors with the GOB's permission -- part of the terms of her house arrest announced at the trial's conclusion by the Home Affairs Minister. Her conviction appears to preclude her participation in the 2010 election. Meanwhile Rangoon's streets remain calm, and the road in front of ASSK's residence remains closed. ASSK supporters outside the trial and members of the Tuesday Prayer Campaign were detained August 11, but later released. The conclusion of the trial was covered as breaking news in state-run media outlets, which provided largely fact-based reports. End Summary.

Appealing the Verdict, Exploring New House Arrest Conditions  
-----

12. (C) NLD spokesman and ASSK lawyer U Nyan Win confirmed to us August 12 that ASSK and her two assistants plan to appeal their conviction on charges of violating the terms of her house arrest (reftel). Her legal team is preparing a brief to submit to Rangoon's division court, which the lawyers hope to complete soon.

13. (C) During an August 12 meeting with DCM and Poloff, in which we passed the President's and Secretary's statements on the verdict, NLD Central Executive Committee (CEC) members reported that ASSK's legal team was scheduled to meet the afternoon of August 12 with ASSK and Special Branch representatives in her home to discuss how and under what conditions ASSK may receive visitors. In August 11 remarks following ASSK's sentencing by the court, Home Affairs Minister Maung Oo stated that ASSK would be able to receive "guests" but provided no details. CEC members noted that

this change in the terms of ASSK's arrest is potentially significant, but they are waiting to see how it would be implemented in practice. (Septel will report additional details of the meeting with the CEC.)

#### Excluded from Elections

-----

¶15. (C) ASSK's August 11 conviction appears to preclude her from participating in the 2010 elections. The regime's new Constitution prohibits individuals from becoming Members of Parliament who are "serving a prison term" or "having been convicted by the Court concerned for having committed an offense." Another section of the Constitution appears to disqualify ASSK from becoming President because her late husband and children are British. The Constitution states that neither the President, nor one of his/her parents, spouse, legitimate children or their spouses shall "owe allegiance to a foreign power, nor be subject of a foreign power or citizen of a foreign country. They shall not be persons entitled to enjoy the rights and privileges of a subject of a foreign government or citizen of a foreign country."

#### Brief Detentions, But Rangoon Streets Remain Calm

-----

¶17. (C) U Nyan Win confirmed to us that on August 11 police briefly detained 40-50 ASSK supporters (mostly NLD members but also some private citizens) near Insein Prison, where the trial took place. According to U Nyan Win, authorities herded the individuals into a truck, drove them to another location, and then released them.

RANGOON 00000524 002.4 OF 002

¶18. (C) That same day, Tuesday Prayer Campaign organizer Naw Ohn Hla reported that she and 13 others were detained at Shwedegon Pagoda as they gathered for their weekly prayer ritual. Naw Ohn Hla told us authorities took them to Panwah interrogation camp, collected their biographic information, and questioned them on their party affiliations and views on ASSK's trial. The authorities released the group in the evening after requiring all of them to sign a document verifying that they would not "commit any act that would lead to unrest."

¶19. (C) Overall, however, Rangoon remains quiet. University Avenue in front of ASSK's residence remains closed to most traffic, with barricades and security personnel along the route. We did not see signs of significantly increased security elsewhere in Rangoon.

#### Media Reaction

-----

¶10. (SBU) The conclusion of the ASSK trial was covered as breaking news in state-run media outlets, including on the national television station and Rangoon-based radio. The August 12 edition of the state "New Light of Myanmar" (NLM) ran a front-page story on the verdict and included the text of the SPDC statement signed by Than Shwe commuting the sentences for ASSK and her assistants. Domestic media coverage thus far has been largely fact-based without commentary or analysis.

DINGER